

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

FILED IN OPEN COURT
ON 1-23-2024 Bk
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

NO. 7:24-CR-5-BO-RJ

UNITED STATES OF AMERICA)

v.)

DEIFALLA MALIK JOHNSON)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about September 26, 2023, in the Eastern District of North Carolina, the defendant, DEIFALLA MALIK JOHNSON, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, knowingly possessed a firearm and the firearm was in and affecting commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

COUNT TWO

On or about September 26, 2023, in the Eastern District of North Carolina, the defendant, DEIFALLA MALIK JOHNSON, knowing he was subject to a court order issued by the Circuit Court of the 12th Judicial Circuit, in and for Sarasota County, Florida, issued on or about December 19, 2016, in case number 2016 DR 6152 NC, that was issued after a hearing of which he received actual notice, and at which he had an opportunity to participate, restraining him from harassing, stalking, or threatening an intimate partner, that by its terms explicitly prohibited the use, attempted use, or threatened use of physical force against such intimate partner that

would reasonably be expected to cause bodily injury, did knowingly possess in and affecting interstate commerce, a firearm, in violation of Title 18, United States Code, Sections 922(g)(8) and 924.

COUNT THREE

On or about September 26, 2023, in the Eastern District of North Carolina, the defendant, DEIFALLA MALIK JOHNSON, did knowingly possess a firearm, that had moved in and affected interstate commerce, within the distance of 1,000 feet of the grounds of St. Mary's Catholic School, located at 217 S. 4th Street Wilmington, North Carolina, a place that the defendant knew and had reasonable cause to believe was a school zone, in violation of Title 18, United States Code, Sections 922(q)(2)(A) and 924(a)(4).

FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or that were intended to be used in any offense identified in 18 U.S.C. § 924(d)(3), or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

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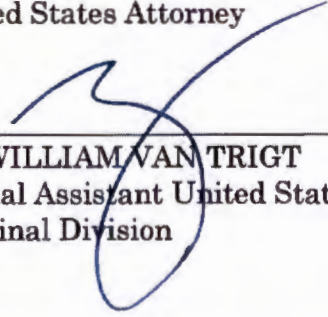
If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

1/23/2024
DATE:

MICHAEL F. EASLEY, JR.
United States Attorney


By: WILLIAM VAN TRIGT
Special Assistant United States Attorney
Criminal Division